

MINUTES OF A TAX BUDGET HEARING & REGULAR MEETING

BROOKLYN CITY COUNCIL

June 13, 2005

7:00 p.m.

The Council and all in attendance recited the Pledge of Allegiance.

President Albier: "Now this is not going to be the start of the Council meeting. We have to have a tax budget hearing. By law the tax budget has to be read three times. We had our first reading on May 23rd, second reading will be tonight; however, we have to have a public hearing. And we have to have this all done so we can submit the budget before July 15th. So if there's anyone in the audience that has any questions on the budget for fiscal year 2006, please come forward and state your name and address."

Director Fisk: "Do you want me to talk about it first?"

President Albier: "Mr. Fisk will say a few words about the budget first."

Director Fisk: "This tax budget is for 2006. In the past the tax budget was for 5.4 mills. Last November 2nd we had Issue 10 on the ballot where the citizens of Brooklyn advised City Council that they thought it was worthwhile to add 1.5 mills of tax for a new fire station and to fully fund the police and fire pension funds. That amount was added in 2005, and the taxes were increased to 6.9 mills. There is no change in the millage this year, it will remain at 6.9 mills. However, there are some changes in distribution. We changed the street lighting from .5 of a mill in 2002 to .25 mills, because of the fact that we had a goodly fund balance of \$200,000 in there. And in order to more fully utilize our resources, we moved 2.25 mills to fire pensions and police pensions, and fully utilized all the tax resources. We had indicated last year that last year would be the last year we'd be able to do that, and then it would have to change this year. So street lighting has been increased from .25 mills to .4 mills. Police has been, pension funds, has been reduced by .05, and fire pensions have been reduced by .1 mills, to fund the additional .15 mills needed for street lighting. The General Fund is at 2.3 mills, as it has been. However, there's an additional 1 mill that is going to the General Fund at this time, and then being transferred to the Safety Forces Construction and Capital Improvement Fund, the new fund for the construction of the fire station. And Bond Retirement remains at 1 mill. Thus the total is 6.9 mills for 2005, exactly the rate that it was in total for 2006. The valuation for tax purposes was computed at \$388,487,000 and that generates \$2,680,000 in property taxes for the City of Brooklyn. As Mr. Albier had already indicated, this will be on second reading tonight. Passage on the 27th will allow for submission to the county by its deadline. Thank you."

President Albier: "Okay, once again, does anyone have any questions or comment that they would like to make on the tax budget. If not, I need a motion to adjourn the tax budget hearing."

Councilwoman Pucci: "So move."

Councilman Coyne: "Second."

Clerk Fisk: "To adjourn the tax budget hearing, Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Tom Coyne."
"John Frey."

Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."

Tax Budget hearing ended.

President Albier: "We will now start the Council meeting. Mr. Fisk, would you call the roll please."

Clerk Fisk: "Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey."

Councilwoman Brown: "Here."
Councilwoman Pucci: "Here."
Councilwoman Brown: "Here."
Councilwoman Gallagher: "Here."

President Balbier: "Greg Frey sent me a letter that he would be out of town this weekend and will not be able to attend tonight's Council meeting."

Clerk Fisk: "Tom Coyne."
"John Frey."

Councilman Coyne: "Here."
Councilman J. Frey: "Here."

President Balbier: "We'll now have the reading of the agenda. First of all, the first agenda that came out on Thursday was incorrect, and that's the one I picked up, because I was going out of town on Thursday. If anyone picked up an agenda from out here tonight it's the right one. The only change was, where it says Mayor's report, and appointment/confirmation, this was for the Recreation Manager, but the Mayor does not need the Council's approval for who he puts in that position. So that's incorrect there. And also, the Mayor is out of town tonight also, he's at the Mayor's convention in Chicago, and he left us a letter stating that he would introduce this new appointee at the next meeting and answer any questions. We will have Council confirmation for some building going up by Key Corp.; we're going to have bid authorization for street repairs; and bid approvals for striping. Also on the agenda is Resolution 2005-7, like we said the second reading, adopting the tax budget for fiscal year 2006; we'll also have Resolution 2005-9, Urging the United States Base Closure and Realignment Commission to retain 1,028 important federal defense jobs at the Defense Finance Accounting Service in downtown Cleveland, and supporting and encouraging the Cleveland Defense Industry and Alliance and the Greater Cleveland Partnership in their advocacy efforts to protect the region's economical vitality by appealing the recommendation of the United State's Department of Defense to realign these jobs to other cities, and encouraging their retention and further committing Council's support and assistance in this undertaking. In otherwords, we're going to pass a resolution supporting that they keep these jobs in northern Ohio and not ship them somewhere else. Ordinance 2005-26, Authorizing the inter-fund transfers and advances during 2005; Ordinance 2005-27, Assessing unpaid costs of abating nuisance and hazardous violations of Section 521.05 of the Codified Ordinances of the City of Brooklyn, Ohio. And this is something where the city had to go into different homes where they refused to repair them, like cut the grass and so forth, and they refused to pay the bill, so I'll read the whole ordinance tonight and I'll give you the addresses of these people that we're going to go after so we could put a lien on their property to collect our monies. And Ordinance 2005-28, Amending annual appropriations; and any other matters that may come before Council. I need a motion to approve the minutes of May 23rd."

Councilman Coyne: "So move."

Councilwoman Brown: "Second."

Councilwoman Gallagher: "Mr. Balbier, may I be recognized?"

President Balbier: "Yes Mrs. Gallagher."

Councilwoman Gallagher: "There's a correction on page five. Second paragraph of my comments, line seven. You need to delete 'like'. So it's 'I wish to thank all of you who attended.'"

President Balbier: "Any other corrections? You can take a vote Mr. Fisk."

Clerk Fisk: "To approve the minutes of May 23rd as amended, Rich Balbier."

"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Tom Coyne."
"John Frey."

Councilman Balbier: "Yea."
Councilwoman Pucci: "Abstain."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."

President Balbier: "We'll now have the public session. If anyone has anything they wish to say for the good and welfare of the City of Brooklyn, please step forward and state your name and address."

Shirley Palumbo: "My name is Shirley Palumbo and I live at 10218 Micka Drive in Brooklyn. First of all, I'd like to thank everybody that participated in our dog walk last Sunday. It was a little hot, and we had to abbreviate the route. But I think everyone had a good time. And I'd just like to thank everyone that

sponsored walkers or collected sponsors for the walk. We made a little over \$900, so we were pretty happy. The next thing we're going to have is, this Friday eat at Max and Erma's and you will be supporting the Brooklyn Animal Shelter. They are donating part of their proceeds for the day to us. And we're very happy to use their restaurant for our first dine-in days, and more to come. We're also going to have the flea market on July 25th at the Senior Center, and we still have 20 foot, eight-foot tables for \$20 to rent. And the contracts are available here at City Hall on the counter out there, or at the library. And also off of our website, which is brooklynshelter.org. We have t-shirts for sale the last Thursday of each month at the Senior Center, which is also the date of our general meetings, and the t-shirt sale starts at 6 p.m. And now the bad news. I opened a post office box for Brooklyn Animal Shelter in February of this year, and a few times during the year I went into them and said there's something wrong, people are getting their mail returned. And they would check, and I would wait, and they would tell me there's nothing wrong, they must have addressed the envelope wrong. So I was getting kind of upset because there was never anything in there. And especially after the dog walk when people were asked to mail in their sponsors if they weren't going to be able to attend, and there was still nothing in there. And to top it off I had a return to addressee envelope to show them that somebody had returned to us and said, look, this is the second time I've tried to send in a donation. Long story short, when I opened the account the post office filed the cards in a drawer and never entered us into the computer. So for the past almost six months, anybody that's donated money or sent us questions, or any otherwise communicated with us through that post office box, we never received it. So needless to say, I'm really disappointed in the City of Brooklyn's post office box. They gave me another six months, and it's the same address as it was, and hopefully it'll work. I don't know why it was called Brooklyn Animal Shelter and they can't find you, why wouldn't they call the City of Brooklyn and say, what's this Brooklyn Animal Shelter? So... But anyway, I just want everybody to know that I thank you for your support, and if you got this stuff back it's not our fault. Thank you."

President Albier: "Thank you Mrs. Palumbo. Anyone else?"

Helen Wilson: "Helen Wilson of 4555 Williamston. This is directed to Mr. Kappler and his crew. I know that a lot of people come up here and tell you about their streets. And you know that Dick and I believe in talking to you personally. But because of what a nice job you and your crew did, I thought it should be told to the public. And another reason is that a lot of people call about the water that was on the street right in front of my house. Well my husband and I talked to Mr. Kappler just once, but he got a lot of unnecessary calls about the water. During the winter months when the snow was terrible on the ground, he came to us and he told us when the weather breaks that he and his crew would come out and do the street as soon as he could. Well, as you know, we still had snow the first of May, and it was finished today, which is June, and I really appreciate that. But I just wanted to thank him and his crew for doing such a good job. It looks very neat. And I know that people complain, but you do, you ought to be in other communities as a community director. I've been in other communities and believe you me, they do not have the services that we do. Thank you."

Director Kappler: "Thank you Mrs. Wilson."

Mrs. Wilson: "You're welcome."

President Albier: "Thank you. Anyone else?"

Ed Zorn: "Ed Zorn, 4878 Autumn Lane, Brooklyn. I don't know how to follow that last one, but unfortunately I do have something for Mr. Kappler. May 12th my wife and I went to work as usual, and when we returned home that evening we found that the Brooklyn chain saw crew had visited our home and trimmed our tree. Now this is a tree that's been there for 30 years, has been nurtured, has many memories, especially for my wife. And what they did was basically, what was formerly a tree is now a trunk with three extensions, one of which is dead, and it's really, you know, hard to call it a tree anymore. And in fact, what I do have is pictures of, you know, that's what our tree looks like, Mr. Kappler. I find workmanship like that totally unacceptable. And I'm sorry..."

President Albier: "Come up to the mic please so we could hear you."

Mr. Zorn: "I'm just showing Mr. Kappler the pictures. And what I have there is a trunk with three extensions and what was formerly a tree. Mr. Kappler, I know that you will tell me, you know, that the tree is

the property of the city, and you're right on that; however, this is my property, my property value, and my quality of life which is affected. And I just find workmanship like that totally unacceptable for a public servant."

Director Kappler: "I will be out at your house tomorrow to take a look at it."

Mr. Zorn: "I would appreciate that sir. Now my next question was going to be directed to the Mayor; however, since the Mayor isn't here, I think I have to talk to Mr. Kappler again. On June 8th the Plain Dealer published an ozone alert, and this is something that comes up with the hot weather and is a product of vehicle exhaust. I had a conversation with Mark Carpenter of ODOT in April of 2004, in which he stated that the I-480 section through Brooklyn is, if not the busiest, one of the busiest in the county, and he stated a figure of 120,000 at the time. I'm not sure if that's 120,000 vehicles per day or 120,000 vehicles per hour. My question to Mr. Kappler, because the Mayor isn't here, is what is the City of Brooklyn doing to protect the powerful voting block of I-480 residents who live along 480 from the poisons pouring out of the I-480 hill and hole of ozone, carbon monoxide, diesel exhaust, dust and noise?"

Director Kappler: "You're asking me what we're going to do about the traffic that's running up and down 480, is that correct?"

Mr. Zorn: "Yeah. Well what I'm concerned about Mr. Kappler is we have those poisons come, right now as we speak, these are pouring out of the I-480, or out of the I-480 hole into the residents' who live along 480. That's ozone, carbon monoxide, diesel exhaust, dust and noise. Now I know that some members of Council have done a lot of work and trying to help that situation along 480. I know that Colleen has worked with Mr. DeGeeter and Mr. Patton to get the planting of trees. I know that Tom has suggested a grass inhibiting growth product that's used around power towers. He suggested a possible way of watering the trees that would be planted along that freeway to protect the residents and inhibit some of that discharge out of the 480 freeway. So my question to the administration is what are you doing to protect these residents?"

Director Kappler: "The trees were planted, as you know, okay. What does stopping the growth of grass do with protecting you from fumes? I don't quite understand that."

Mr. Zorn: "No, no the connection is that if we had those trees planted along the fence line and there was a watering system in place that Tom has suggested, along with a grass inhibiting product on the ground, with the growth of those trees that would knock down those poisons coming out of the freeway."

Director Kappler: "Okay. You're asking for trees on the bottom side of the slope with a watering system?"

Mr. Zorn: "It's just a suggestion."

Director Kappler: "I'll mention that to the State of Ohio, because that's their property. I'll see what they say."

Mr. Zorn: "Okay, but as our elected representatives, isn't it your job to follow that up and to take care of your citizen and your client base, your citizen base?"

Director Kappler: "That is correct. I will contact the right people in District 12 and I'll see what they have to say, because that is their property."

Mr. Zorn: "I appreciate that, thank you."

Director Kappler: "Okay."

President Albier: "Mr. Zorn, the one complaint I always had too, like if you notice that Tiedeman and 480, they plant trees and they never water them. You know, it's nice that they put these trees there, but I never see anybody come back and water them. And I'd say three-fourths of them are dead already."

Mr. Zorn: "And that's the problem. But the thing is, you know, now Tom has mentioned a suggestion, and I think possibly with his background it's a valid consideration, for a watering plan to, you know, if we have 20

years of growth of evergreen trees along that freeway right now, you know, look at the protection we would have from ozone and carbon monoxide and noise."

President Albier: "Right, I agree with the trees I think is the only thing you can plant there. But like Mr. Kappler said, that's all controlled by the state. And I seen the job they've done with those trees. Like I said, they plant them and they never come back. We'll look into it though, because I think there should be trees there too."

Mr. Zorn: "Appreciate that."

President Albier: "Okay. Anybody else care to comment?"

Councilman Coyne: "Rich."

President Albier: "Mr. Coyne."

Councilman Coyne: "If I could make a comment. What my thoughts were was a joint venture between the city and the state, with the city providing the watering only. There are herbicides out there that control the growth of grass. In other words, you can put on herbicides that'll allow grass to grow two inches or whatever. That keeps us out of the business of trying to cut all the grass over there. So there's a couple solutions that are economically available that we should look into and possibly take advantage of."

President Albier: "I think we should look into... I don't like those sound barrier walls they put up along either, those do nothing as far as I'm concerned. I like trees. Okay, if we have no other people that wish to speak, we'll move on, to reports from committees, commissions and boards. The first is the Public Works Committee, and that's Mr. Greg Frey, and he's not here this evening, so we'll move onto the Public Safety, and that's Mrs. Kathy Pucci."

Councilwoman Pucci: "Thank you Mr. Albier. The Safety Committee did meet earlier this evening, and we had two topics on our agenda. The first was general conditions at the Service Garage. We basically discussed both fumes and the dirty and dusty conditions down at the garage. We recognize that this is a service department and it's not going to be as clean as City Hall; however, we did kick around a couple ideas. The possibility of at least starting to cement some of the area that's directly outside the bays where the trucks pull in. And also the possibility of a wash station, which would not only eliminate a lot of the dust and dirt that is brought into the garage when the vehicles are pulled in, but it also would preserve and possibly extend the life of our equipment. So Mr. Kappler is, over the summer, is going to look into developing a plan as far as what exactly we would have to do, because we would also have to include some upgrade to the sewer system for catch basins. And he's going to report back to Council in September. I think this has been, this problem has been talked about for a really long time, and nothing's ever been done. I personally think that if we develop a master plan of what has to be done in that area to address the conditions and then do it in increments. The concrete is going to be expensive, but at least if we have a plan and you can do it in increments, at least we'd be moving forward instead of just talking about it. The other topic on our agenda was the draft of the proposed rental license ordinance. This was modeled after ordinances that other communities have adopted. Basically this would be a tool to assist us in addressing the property maintenance problems that we have. We do have a lot of issues with property maintenance, and I think we do need to explore new avenues in addressing that problem. Mr. Shaper and Mr. Ockington are going to be doing a little bit further investigation for us and reporting back to us. That completes my report. Thank you Mr. Albier."

President Albier: "Thank you Mrs. Pucci. Next is the Planning Commission, and that would be Mr. John Frey."

Councilman J. Frey: "The Planning Commission met on June 2nd, and Neff and Associates, I think they're in the audience, the tall man. Stand up. You aren't going to mess with him, you know. They had requested approval of similar conditional use to construct a maximum of two restaurants, one child day care center, and one additional commercial establishment to be constructed on outlets to be located at 4900-5000 Tiedeman Road, as part of Key Bank's long-term improvement plans. The Planning Commission approved this request pursuant to the City of Brooklyn's Zoning Code Section 1141.02. This approval by the Planning

Commission requires confirmation by a majority vote of City Council. The Planning Commission also approved preliminary site plans for additional parking areas for Key Bank, and lot split plans to create the above specified outlets, each proposed commercial use will require future site plan approval by the Planning Commission prior to construction. And that looks like a big improvement and addition. And I don't know if we need more restaurants, but they say they're actually a little upscale from some of the restaurants we now have, that are looking at that area. We also had a man appear before the Planning Commission, and he was interested in building what they called condo-storage units. Business condo-storage units on 5.7 acres of industrial land at 11111, five ones, Memphis Avenue, in front of the Ames store. And we did not approve that. That would be like these storage units, that there were about eight of them, many units on that site, and that was not approved. It would not bring any employees to the city, to speak of, and it was strictly storage units, that was turned down. And that's what happened at the Planning Commission on June 2nd."

President Balbier: "Thank you Mr. Frey. We'll be getting to you gentlemen in a little while. The next is the Rec Board, and we did not have a meeting, we only meet once a month. We didn't have our meeting yet, it'll be next Monday at 6:30 in the Mayor's Court. Next is the Finance Committee, and that also is Mrs. Kathy Pucci."

Councilwoman Pucci: "Thank you Mr. Balbier. The Finance Committee also met earlier this evening, and we actually had quite a lot on our agenda. We approved Resolution 2005-7, which is on its second reading, that's the tax budget. Resolution 2005-9, which is in support of keeping the Defense finance accounting service jobs here in the Cleveland area. Ordinance #2005-26, which are inter-fund transfers and advances. Some of this is just housekeeping. On this particular one we're transferring from the General Fund into the Safety Forces Construction Fund, from the Capital Improvement Fund to the Biddulph Issue 2, and from the Capital Improvement Fund into Biddulph PID 9922. Then we're also advancing from the Safety Forces Construction Funds into our Capital Improvement Fund. And that is in connection with the fire station. Ordinance #2005-27, which is assessing the unpaid costs of abating nuisance and hazardous violations;. Ordinance 2005-28, the amended appropriations, which is basically some housekeeping items. One of the things, we are going to be appropriating some funds that were generated from our RunSaver program. This is the program where we are charging the insurance companies for auto accidents. And we started to get some money in, we have about \$13,500 so far, and so we're appropriating the money so that we can start spending that on safety related equipment. We also examined a lease agreement and a proposal from the Brooklyn Animal Shelter. I think Council and the administration are satisfied. This is modeled after the agreement that the City of Parma has with the Parma Animal Shelter, and it has been working well for both of them. We also approved a contract with Specialized Construction and Konstruction King for our street repairs. We approved a contract for Custom Wide Striping for our 2005 street striping program. And we also approved a Request for Proposals for our new aerial platform ladder truck. And that completes my report Mr. Balbier, thank you."

President Balbier: "Thank you Mrs. Pucci. Next we have Domestic Violence and Legislative Update. Mrs. Gallagher, do you have anything on either one of those subjects?"

Councilwoman Gallagher: "Yes, thank you Mr. Balbier. We held a Domestic Violence meeting last Wednesday, June 8th. Our guest speaker was Kim Schreiber from the Witness Victim Service. Our discussion centered on the role of the schools in helping children of domestic violence. It is estimated that family violence is prevalent in three to four million American homes. If two children are living in each of these homes, then approximately seven million children witness abuse of a parent, typically their mother, each year. Children exposed to domestic violence often have difficulties with school. Kevin Corp, our School Board Committee member, will be working with Kim to put together a pass-out packet with a curriculum director, the guidance counselors, and the administration of the elementary, middle and high school. Kevin also offered to print the literature containing all the important emergency contact numbers. We also discussed Domestic Violence Awareness Month, which is in October. The Committee is attempting to coordinate with the Cuyahoga County Bar Association to collect cell phones for victims. We would also be working with Verizon, who would collect the unusable phones and then donate money to the cause. Our next meeting is scheduled for September 14th at 6:30 at the Senior Center. Also, State Representative Tim DeGeeter is introducing legislation that will prohibit publicly owned or operated shelters from killing domestic animals, such as dogs, with a handgun or another firearm. This Bill also prohibits a person from destroying any domestic animal at a publicly owned shelter in such a manner. There's no penalty established under this legislation. Existing law requires that dogs seized by the County dog warden be kept,

housed and fed for three days, unless specified circumstances apply. Current law also authorizes the dog warden or pound to dispose of the dog in several ways, as long as it is humane. I do not believe killing a dog with an automatic weapon classifies as humane. This proposal is identical to House Bill 104 from the 125th General Assembly legislation introduced by Representative Chris Redfern. The House Bill was re-referred to Agricultural and Natural Resources Committee last spring. And that completes my report Mr. Albier."

President Albier: "Thank you Mrs. Gallagher. Next is the Zoning Board of Appeals, and that would be Mr. Ockington."

Comm. Ockington: "The June 16, 2005 Board of Zoning Appeals meeting has been cancelled due to lack of applications."

President Rich Albier: "Okay, thank you Mr. Ockington. That completes from committees. Next will be the reports for Council, and I believe I'm first. I only have a couple things. Remember tomorrow's Flag Day, so if you only put up your flag once a year, tomorrow's the day to put it up. Also, there was a report from the Cuyahoga County Solid Waste District, and they said in 2004 Brooklyn disposed of 4,122 tons of solid waste. And the recycled materials, we recycled 1,456 tons, which represents 26.11%. And the state's goal for each community is 25%, so Brooklyn's a little ahead of the goal. And they also had a statistic, that I don't know how they arrived at this, but there's 59 communities in Cuyahoga County, and when you put all their recycling together they say it's 630,764 trees. So that's pretty good. Like I said, I don't know how they arrived at that figure, but... The other thing is, like Mrs. Pucci stated, we talked about the property maintenance and rental licensing code. We've been working on this since January, I wish we would pass it already, but we keep fine tuning it. But this is basically an ordinance where if you have rental property and you do not live there, like if you owned a, let's say double on Roadman and you lived in one half, you wouldn't have to get a license for the other half that you rent out, because the thought behind that is if you live there you're going to make sure your property's maintained. This ordinance is primarily for absentee landlords that might have a four apartment suite or something like that and they live in another city. They have to get a license from the city before they can rent out that apartment, and it has to be renewed once a year. And there's a lot more to it, but basically that's a start for us. And all this helps improve our city, because we have a lot more rental properties than we did 10 years ago. And I don't know if you noticed in today's Plain Dealer, there was an article on abandoned buildings. And it said Cleveland has between a low of 10,000 and a high of 25,000 abandoned buildings in their city. And there's 59 communities in Cuyahoga County, but there's only three or four of them that are surrounded on three sides by Cleveland, and Brooklyn's one of them. So we want to make sure we have all our ducks in a row so our Building Department has what they need to go after these different landlords that don't take care of their property. And hopefully we'll be able to pass something shortly. And that's all I have. Mrs. Pucci."

Councilwoman Kathy Pucci: "Thank you Mr. Albier. First I'd like to offer my condolences to the Varga family on the passing of Mrs. Varga. And I also learned yesterday that Mr. Frey's sister-in-law passed away, so my condolences to your family also Mr. Frey."

Councilman J. Frey: "Thank you."

Councilwoman Pucci: "Mr. Kappler, what is the status of our city markers that we had ordered?"

Director Kappler: "They should be in the first of July."

Councilwoman Pucci: "Okay, thank you. And they'll be put up right away?"

Director Kappler: "Yes."

Councilwoman Pucci: "Thank you. Also, with what Mr. Albier mentioned about the recycling, do we have very many residents who are participating in recycling the miscellaneous paper that we take now? Because I'm not, most residents I'm finding aren't really aware of it."

Director Kappler: "See, we co-mingle, so it's very difficult to determine, other than the crews picking it up. Possibly we can try a lit drop or put it in our newspaper article again."

Councilwoman Pucci: "Okay, because this... I started doing it when we still had to take it down to the garage before they were picking it up."

Director Kappler: "Yes."

Councilwoman Pucci: "And you would just be amazed. That is really most of your garbage. This is all the junk mail, the magazines, I mean, even up to cereal boxes. And we own our own landfill, so it really benefits us every single thing that we can keep out of the landfill, we as a community benefit by that, because it's going to extend the life of our landfill. So I would like to encourage more people to do that. It's really painless, you just throw it in, I just use like a brown paper grocery bag. And now that, you know, they collect all the recycled materials, you just throw it out with your recycling. But I think we should promote that a little bit more, because most residents are not aware of it. Maybe on the Service Department page on the website and in the newsletter maybe we could focus on that. Thank you Mr. Kappler."

Director Kappler: "You're welcome."

Councilwoman Pucci: "And Mr. Shaper, do you have an update on the unresolved issues regarding the policy manual?"

Director Shaper: "I have traded calls with Mike Esposito, anticipate them being on for your next meeting."

Councilwoman Pucci: "Okay, but we're going to get it ahead of time?"

Director Shaper: "Yes, that's my intention at least."

Councilwoman Pucci: "Okay."

Director Shaper: "And if that doesn't work, then we'll make arrangements then. But that is what I hope."

Councilwoman Pucci: "Okay, thank you very much. But he was reviewing all the unresolved issues, that's where we stand right now?"

Director Shaper: "That's correct."

Councilwoman Pucci: "Okay, thank you very much. Over the past couple weeks I attended the post audit, the exit conference, with the State Auditor. It's confidential until it's released by the Auditor, but once it is released it is on the Auditor's webpage. I also attended the public meeting for the Master Plan committee. We did have a nice turn out, but I do hope for the next public session we can do a little bit more to publicize that meeting so we have more residents attend. I also had the opportunity to help out at the dog walk. And I would like to thank Shirl for her tireless efforts on behalf of the Brooklyn Animal Shelter. And also encourage people, if you're going to be going out for lunch or dinner this Friday, if you could go to Max and Erma's and just mention the Brooklyn Animal Shelter, it's a painless fundraiser; because anyone who mentions the Brooklyn Animal Shelter automatically the Shelter will receive a percentage of the profits. And maybe you people from Key Bank could pass the word for anyone going for lunch there. Council... The Mayor did notify Council that he had hired a manager of the Rec Center. And I certainly don't have anything against the person who was hired, I don't know the woman. But I will say I think it's a shame that we had not only residents, but residents who had experience, and for some who even scored better on the test, and I do think it's a shame that they were passed over. When does this person start, Mr. Fisk, because that wasn't stated in the letter from the Mayor?"

Clerk Fisk: "The plan is July."

Councilwoman Pucci: "July? So it would be like July 1st? Or...?"

Clerk Fisk: "I believe it's going to be around July 11th."

Councilwoman Pucci: "Okay. Alright. And I believe that completes my report. Thank you Mr. Balbier."

President Albier: "Thank you Mrs. Pucci. When you mentioned about putting that cardboard and stuff out, last week I put it all in a nice cardboard box, put it on the treelawn, and I watched the garbage truck pick it up instead of the recycling truck."

Councilwoman Pucci: "Well, and my husband has said that a couple times. He said, you know you're wasting your time because they just throw it in the regular garbage. But I find that if you put it in the recycling bin they get the message. And maybe Mr. Kappler you could pass that along, that if there is some, you know, loose bags or that it's in the cardboard boxes, that the recyclers could make sure they get it and not that it doesn't go in the regular garbage truck."

Director Kappler: "We'll have a meeting tomorrow with our rubbish crews and our recyclers."

Councilwoman Pucci: "Okay, thank you."

President Albier: "Thank you Mrs. Pucci. Mrs. Brown."

Councilwoman Rita Brown: "Yes, thank you Mr. Albier. You know, I have to concur with Mrs. Pucci. Do you remember back when we had the residency requirement on the ballot, and I had warned the residents, you're going to be giving your jobs away if you pass this. Well, it passed by a very small majority, but sure enough, I told you so. Our jobs are given to people outside of Brooklyn when we have perfectly qualified employees right here who should be promoted. And that's about all I can say on the subject because I don't know too much more. I'm not going to talk about trash on treelawns on weekends tonight. I have a more important subject. I recently became aware that Mayor Patton is having his son run for City Council. We've had nepotism problems in the past. Well, this is the ultimate example of nepotism. We have three branches of government – executive, judicial and legislative. In Brooklyn the Mayor is already the head of two branches, the executive and judicial. Now, by running his son, he's trying to control the legislative branch. The reason we have three branches is to have checks and balances. What kind of checks and balances would there be if you have a father and son duo? One is Mayor, the other's a Councilmember. As Mayor Patton himself pointed out in his original brochure against Mayor John Coyne, 'Power tends to corrupt and absolute power corrupts absolutely.' Other cities have addressed this issue by amending their charter to prohibit this sort of nepotism. I do have a copy of that information, and I will share this with everyone. I realize it's too late for the Charter Review Commission to look into this, but I do think Council should look into this. So I would like Council to call a work session to discuss possible legislation that would be this on the ballot this November. And Mr. Albier, would you please schedule a workshop as a whole for Council so we could discuss possible legislation on this matter, and do so in a timely fashion before the next meeting?"

President Albier: "Okay Mrs. Brown."

Councilwoman Brown: "I thank you, that completes my report."

President Albier: "Thank you Mrs. Brown. Mrs. Gallagher."

Councilwoman Colleen Gallagher: "Thank you Mr. Albier. Good evening ladies and gentlemen. This past Sunday at our Memorial Park I had the great pleasure to serve as the grand marshal for the Edward and Fannie Baker Memorial Walk. I was excited to celebrate and support this worthy cause, the Center for Mental Retardation. Lydia Espara of Channel 3 News was the emcee and did a great job. Our friends with disabilities are a blessing that words cannot describe. I would personally like to thank Bobby Hennings, one of our Service Department employees, for volunteering to walk alongside me in his Army Staff Sgt. dress uniform. I also would like to personally thank Brooklyn resident Len Kucharski, a bag piper who played Amazing Grace and donated his time and talent for this memorial walk. Thank you to all the volunteers who did an incredible job. That completes my report."

President Albier: "Thank you Mrs. Gallagher. Like I said, Mr. Greg Frey is out of town, so Mr. Tom Coyne."

Councilman Tom Coyne: "Thank you Mr. Albier. My condolences to Mr. Frey and his family on their loss; and to the Varga family on the loss of Rosemary Varga. A reminder again that tomorrow is Flag Day. We should all try to display the flag of our country in our homes and in our work place, to specially in honor

of all our veterans who sacrifice so much to defend the freedom of our country. American Cancer Society Relay for Life event is this Friday. I've been active in this a number of years, it's a great cause, believe me. It's this Friday, June 17th, starts at 6 p.m. at the Brooklyn school stadium, lasting all night through noon Saturday, June 18th. Good luck to all the teams in raising money for the Cancer Society. Please, please, support this cause and stop by the stadium. As in previous years, there'll be many activities and prizes for children and adults, food, all kinds of food there, and it's a good time for all. A lot of families spend the whole night camping there. So take the time to help this year's Relay so they could surpass the amounts raised in previous years. Seatbelt laws. As many have seen in the newspaper and on TV articles, 'click it or ticket' is now a nationwide program that is spreading across the whole USA. I truly believe it is a very important and necessary program for the United States, and much needed. It saves many, many lives. The seatbelt law had its start under former Mayor John Coyne right here in Brooklyn. Chief, I'd like to have an update, and would you provide to Council, the number of seatbelt violations issues over the last six years in Brooklyn?"

Chief Murphy: "Okay."

Councilman Coyne: "Thank you. I also have some articles on the Cuyahoga County Waste, as Mr. Balbier alluded to. The recycling effort has saved over 1.3 trillion btus of energy. That's enough to power 13,299 homes for one year. So it works, it saves energy. Everybody knows how much the cost of energy keeps going up and up and up, and it's not going to go down. So everything you could do to recycle will help in reducing the cost of power. It also reduced air emissions by 67,853 tons. A couple of highlights from the report: 39 cities improved their recycling rate in 2004; and overall, throughout the state this is, recycling increased to 22%. As we said, the goal for the whole state is 25%, and there's 33 communities, of which Brooklyn is one of them, that now exceed Ohio EPA's 25% recycling goal. And I was involved in this right from the start, we got the program started here in Brooklyn, and I think it's a great program, and it's good for everyone. As was mentioned by a couple of the other Councilmembers, dine at Max and Erma's Friday, June 17th, this is for the Brooklyn Animal Shelter. And I'd like to personally thank Shirley for all your dedicated work for the Brooklyn Animal Shelter. And last but not least, I also have concerns on the hiring of our new Rec Manager. I believe she was number seventh, or the seventh one on the list, bypassing residents who had scored in the top of the testing, and who had previously worked in the Rec Center. That's all I had Mr. Balbier."

President Balbier: "Thank you Mr. Coyne. Mr. John Frey."

Councilman John Frey: "Thank you Mr. Balbier. I would like to thank you Mrs. Wilson for your fine comments. It's wonderful to hear somebody say something nice about the city, because it seems everybody's looking to say something bad, and I don't go along with that. This is a great city. I love living here, and I don't find a heck of a lot wrong with it. So thank you for your comments. And my report will be short, I'm not running for office, so I don't need too much mic time. I thank you. That's it."

President Balbier: "Thank you Mr. Frey. Like I said, the Mayor's out of town, so we'll go directly to the directors' reports, and the first is the Finance Director, Mr. Fisk."

Director Fisk: "Just a couple things this evening. The Legislature and the Governor have announced the change in the budget to restore the Local Government Funds to the prior freeze levels. They're not restoring them to the formula levels of the past, but at least back to the freeze levels; thus the \$151,000 cut that we thought we as the City of Brooklyn might get in 2006 may not happen. The Office of Budget and Management for the state has revised tax collection estimates just recently, and has indicated that tax collections will be up by \$1.3 billion, thus allowing the funding of Local Government Funds to cities, libraries, counties, townships and the Metroparks. I will supply City Council with the mid-year review on June 27th. And the tax budget is available at the reception desk here at City Hall during normal working hours, and at the Police dispatch center after hours. Thank you, that concludes my report."

President Balbier: "Thank you Mr. Fisk. Next is the Service Department, and that would be Mr. Kappler."

Director Kappler: "Thank you Mr. Balbier. First I'd like to give a Rec report. Our summer entertainment starts tomorrow night at the grande pavilion with the Great Brad's Magic Show. There'll also be a magic show on 7/12, on that date it will start at 7 p.m., it'll be Magic Mike and his balloon creations. There's also three band concerts scheduled for this summer, their dates are 6/26, 7/24 and 8/28. I'd also like to say

thanks to our 29 volunteer coaches for our youth programs this year. And if Council's interested, all passed their background checks. And also would like to say thank you to our 34 corporate sponsors who are backing our teams. And that completes our report."

President Albier: "Thank you Mr. Kappler. Next is the Building Department, Mr. Ockington."

Comm. Ockington: "Thank you Mr. Albier. The Building Department received 29 applications for the 2005 Exterior Maintenance Grant Program. Unfortunately the \$15,000 funding available to the city will only allow for three projects to be funded up to the maximum of \$5,000 each. If the first three projects do not deplete all the available funds, a fourth project may be funded with the balance of the funds, up to a maximum of \$5,000. The city has selected four possible grant recipients and will be notifying all applicants in writing this week of the results, and also including information on currently available low interest funding programs. That concludes my report."

President Albier: "Thank you Mr. Ockington. Next is the Police Department, Chief Murphy."

Chief Murphy: "No report Mr. Albier."

Councilwoman Brown: "May I be recognized?"

President Albier: "Yes Mrs. Brown."

Councilwoman Brown: "Chief Murphy, is there anything we can do to get our officers to pay a little more attention to the cell phone violations? You know, it's becoming a joke in the city. You see people driving all over on their cell phones, and not a thing is being done, and it's growing to cover the entire nation. I think we should pursue this a little stronger."

Chief Murphy: "Okay."

Councilwoman Brown: "Thank you."

President Albier: "Next is the Fire Department, Chief Duchoslav."

Chief Duchoslav: "Thank you Mr. Albier. Just a couple things real quick. RCU has delivered plans for the new fire station, and they've been submitted to the plans examiner for his review, and our committee is in the process of reviewing the RFPs, or the proposals from Construction Manager, for that end of it. And Mrs. Pucci mentioned the RunSaver program has brought money in, and the first items that we're purchasing are two new heavy duty stretchers. And that's it."

President Albier: "Thank you. Mrs. Thompson, do you have a report for the Mayor?"

Donna Thompson: "Thank you Councilman Albier. First of all I'd like to thank all the residents that participated at the public meeting. The Master Plan Committee held their first public meeting, and it provided the public the opportunity to hear about the future of Brooklyn. What the committee has brought forward, and we've brought that forward through surveys for the residents, because it is your community, it is the residents' community, and we're looking for your input. There was a lot of participation. And also, after the meeting they also were able to fill out a questionnaire about the plan, and whether they agreed with items, whether they disagree. And that has all been tallied and will be available at our next committee meeting. Actually, if anybody was not able to attend, on the city website, which is www.brooklynohio.gov, there is all the information, and at the very bottom of the mail page you can open up the Master Plan documentation that was presented at the meeting, as well as the survey results, which gives a lot of information about the current status of the community and a look towards the future. There will be a second public meeting as Kathy Pucci had indicated, and we will definitely communicate the date. It will be up to the committee to identify when we're prepared to bring forward the revised plan from the initial first public meeting. Computer classes for seniors. The computer classes will continue throughout the summer. We're going to have a wide variety of classes that will be offered at Brooklyn High School for our seniors. They will range from basic computer classes to word processing, internet and e-mail, advanced word processing, and excel spreadsheet. George Timas has been working with identifying areas where the classes would like to

move. To have more extensive classes, to have two-day classes and four-day classes. So there's a variety of options. There's two-day classes which are \$20 for both two-day classes, and \$40 for the four-day classes. If you want to register for that you need to call the Senior Center at 216-635-4222. And the Relay for Life, that is what's coming up this weekend. It's the third annual Relay for Life. It's a community event. I know the city has a team, we'll be there. And there's many other places that have teams. The schools participate. And even if you don't have a team, come up. There's booths set up where you can buy food, you can, they have games and prizes and different things that you participate in. All to raise money for cancer. It starts Friday at 6 p.m. and ends Saturday at noon. Thank you."

President Barbier: "Thank you Mrs. Thompson. Next is the Law Department, and that would be Mr. Shaper."

Director Shaper: "I do not have a report tonight."

President Barbier: "Thank you Mr. Shaper. Mr. Kappler, do you have anything to report from the Rec Department?"

Councilwoman Pucci: "He did."

Director Kappler: "I did already."

President Barbier: "Oh you did. I'm sorry, okay. Okay, next we'll move onto monthly reports. The first one is from the Recreation Center. And for the month of May they took in \$42,648.88. Next is from the Building Department, and last month they took in \$13,698.03 for permits and \$4,750 in contractor registrations. That's for the month of April, I'm sorry. And their report for May was \$8,231 for permits and \$2,975 in contractor registrations, and that's for the month of May. And the Senior Center, their social programs, they took in \$2,742.20; charges and donations for services took in \$2,978.80; for a total of \$5,721. And from the Fire Department, for the month of May they had 56 runs, the rescue squad had 123 runs, and the fees collected from the ambulance fees were \$73,096. And also the amount of loss from those 56 fire runs in May were \$106,300. And this is from the Brooklyn Mayor's Court. The total monies taken in for the month of May was \$47,482.50. And all these reports are available at City Hall if anyone wants to look at them. Now we'll go to the Council Confirmation for Key Corporation. At the Brooklyn Planning Commission that was held on June 2nd, Neff and Associates had requested approval of similar conditional use to construct a maximum of two restaurants and one child day care center, and one additional commercial establishment to be constructed at out-lots to be located at 4900-5000 Tiedeman Road, as part of Key Bank's long term improvement plans. At this point gentlemen, you could come up and show us what you plan to do."

Dan Neff: "Thank you Mr. President, members of Council. My name's Dan Neff, with Neff and Associates, 6405 York Road, Parma Hts., Ohio. I'm here as a consultant for Key Corp, site consultant. We're putting together a package to help develop the balance of the Key Corp property, and we presented it, as mentioned, at the last Planning Commission, the proposal, and I'll share that with the Council. At first I'll show it to the Council, then I'll turn it for the media. I will note if I can, highlight on the drawing that I have here, which is a color photo, showing the existing facility and some of the proposed. Quickly, to show you, the gray is the proposed parking expansion that was approved at Planning, and part of this is part of the Key Corp demand for additional parking. Part of this will be implemented so that in the very near future they can make repairs to the parking garage and still have and maintain enough parking throughout the site. In the green areas shown here are the parcels that we're proposing for future development, dissected by a proposed roadway running from north to south. And we have the two potential restaurant users, in fact one of them is here this evening, if Council so wished. And we also have the proposed day care center. Key Corp. is still actively pursuing that. At this point this evening they have no user in place for that. But we are glad to say that we have a restaurant, Wild Ginger, that is being proposed; in addition there is another restaurant that we hope to be in front of Planning Commission shortly on. And then there's the fourth parcel, which is what we're hoping is a similar use. These are the plans that were in front of them, and this is what we're asking for, is similar use of. It'll be... Our goal here is to develop a kind of a campus, which is what the original Key Corp. concept was, a campus of the office park with the accessory, what I referred to as a restaurant used as another similar uses for this. Now I'll turn it for the media and public. Again, the same parking lot expansion's being proposed, and the future development areas which we're showing here, two restaurant uses, one of them right now being proposed is the Wild Ginger, and the proposed day care, as I mentioned,

although it's not been the deal in hand, it is something that is actively being pursued, and then the fourth parcel which would be the future development. And on the plan you could see the Carrabba's, the Max and Erma's, the Pannera and the Cracker Barrel, which are fronting on Tiedeman Road. Thank you."

President Albier: "Thank you. We have a few questions for you. This day care, is this day care center, is that for Key Corp. employees, or is this for the public, or what exactly is that?"

Mr. Neff: "Right now at this point there is not one that's in place. There was one that is pending, and it hasn't been finalized. It is not strictly a Key Bank issue, it would be privately run and operated and licensed through the state, which is required, and it'll be their discretion who uses it. The goal is that it will help service this whole area here. But I can tell you, as of tonight, there still isn't a final deal pending on that, they've been actively pursuing that."

President Albier: "And as far as the restaurants go, what kind of capacity are we talking here for seating?"

Mr. Neff: "The Wild Ginger, I think we're in the range of about 160-170 seats in that restaurant. And that building, that's about 4500-4600 square feet. The other one, which we're in, and the Key Bank is in very strong negotiation with, is approximately 6500 square feet, and similar in seating size, about 180-190 seats. In comparison, Carrabba's is about 185 seats, and approximately Max and Erma's is about similar. So they're similar in size as far as the seating capacity. For instance, the Wild Ginger has a smaller kitchen prep area that some of the other ones, and the square footage is a little smaller."

President Albier: "And what type of restaurants are these?"

Mr. Neff: "Well, if I could, the owner of the Wild Ginger is here, he has a menu that he can present, and he could also show you some building elevations for the proposed building in a similar use building that he has put up."

President Albier: "Certainly, I'm sure we have a lot of questions."

Councilwoman Brown: "Mr. Albier is very interested in the types of food we're going to..."

President Albier: "I did a survey once about 10 years ago, there were three places to eat in Brooklyn; and the last time I did it there were 46 places you could sit down and eat in Brooklyn, so..."

Chee Lee: "Chee Lee, 3694 Burbank Road, Wooster, Ohio. This is the restaurant that we're proposing. And these are some of the interior shots of our current restaurant in Wooster. And we are the Chinese Bistro."

President Albier: "Chinese Bistro, okay. Does any Councilperson have any questions?"

Councilman Coyne: "Yes please."

President Albier: "Mr. Coyne."

Councilman Coyne: "Mr. Neff, traffic to and from the restaurants. Is there, you're not going to exit out onto Tiedeman, is that a correct statement?"

Mr. Neff: "Let me bring the drawing up again. Mr. Coyne, it is part of the master plan that all the properties will be serviced from the drive, the common drive that services Key Corp. right now..."

Councilman Coyne: "The existing..."

Mr. Neff: "So that's how it'll go, at the signalized intersection."

Councilman Coyne: "Okay, I just want to make sure on that. The other question I had, the wetlands area, what affect does this proposal have on the wetlands area behind the Key Corp. building there?"

Mr. Neff: "Oh, at this point there's nothing back there being proposed."

Councilman Coyne: "Okay, so all this concrete, which is going to have water on it, where is all this surface water, rain water going, and...?"

Mr. Neff: "Sure. Glad you asked, and I'm going to point to the drawing here. There is a large detention basin that was built as part of the overall development, and it was developed with all of this front property... We all remember the Lamson Session building that was there."

Councilman Coyne: "Correct."

Mr. Neff: "But all of this has already been accommodated in this detention system. This was previously reviewed by your consultant engineer. And we'll provide him with the updated information as it's developed. But yes, it's already been managed and accounted for in this development."

Councilman Coyne: "Mr. Ockington, you can confer with that, that the retention pond is capable of taking care of the surface water that's going to be deposited..."

Comm. Ockington: "I will verify that, I believe that's the case. The area that is proposed was, in 2001 was going to be a Sears Great Indoors, and due to the economic downturn in late 2001 they did not build that, or did they build the hotels they were talking about."

Councilman Coyne: "Okay. And the existing sanitary and storm sewers are well capable of handling the additional influx of building sewerage and storm sewer."

Comm. Ockington: "Yes."

Councilman Coyne: "Storm water. Okay. That's all I had. Thank you."

Mr. Neff: "Thank you."

President Balbier: "Any other Councilperson wish to... Mrs. Pucci."

Councilwoman Pucci: "Thank you Mr. Balbier. So are these outlots going to be sold then? Is that the plan?"

Mr. Neff: "The option is to either be sold or to be ground leases. Either option will be entertained by Key Corp."

Councilwoman Pucci: "Okay. And the day care, you said that they were like in negotiation. Is this like a chain provider of day care, or...? I understand you probably don't want to say who it is, that's fine, but I'm just trying to get an idea..."

Mr. Neff: "Yeah. As I stated, at this date right now..."

Councilwoman Pucci: "Do they have..."

Mr. Neff: "...there is nothing that's in place..."

Councilwoman Pucci: "Right."

Mr. Neff: "Again, I mentioned, and I mentioned to the Planning Commission, and they said, well where are any of these operators are state licensed, and whether this ends up being a chain or not we don't know that yet. It's still in negotiation trying to come up with this. We think it's a very important part of this, and we continue to push to get that to happen. So, and as that unveils, as we mentioned to the Planning Commission, any new development will be in front of the Planning Commission to obtain their review and approval, and then likewise through the Building Department, and if need be have to come back to Council, if it's not considered the similar use that we propose. So we've agreed to all those conditions."

Councilwoman Pucci: "Okay, what about the initial plan to have a hotel on this property? Is that no longer in the plan? Or...?"

Mr. Neff: "Well, as we may or may not know in that type of business right now, it's a rather difficult business. Our vacancy rates have declined a great deal. As we know, 9-11 has had a great deal of effect on that. And right now we have an abundance of vacancies in our hotels and motels in the Greater Cleveland area. This is a great corridor, and I think if that opportunity comes along again it would be actively pursued with Key Corp., but at this point there's nothing in hand, and I can tell you that from our exposure there's been not a lot of activity in the market for hotels right now."

Councilwoman Pucci: "Thank you."

Councilwoman Brown: "Mr. Albier."

President Albier: "Mrs. Brown."

Councilwoman Brown: "I have a question for Mr. Fisk. Mr. Fisk, is there any tax abatement involved in this?"

Clerk Fisk: "I've not been approached by about any tax abatement."

Councilwoman Brown: "And the original agreement that was made with Society Bank when Key Bank took over that entire area..."

Clerk Fisk: "I think Mr. Ockington may have some information about that."

Councilwoman Brown: "Or was it on the other side of the street?"

Comm. Ockington: "It is a tax abatement area."

Councilwoman Brown: "There is tax abatement involved here?"

Comm. Ockington: "Yes."

Councilwoman Pucci: "Community Reinvestment Area."

Comm. Ockington: "Community Reinvestment Area is 55% for 15 years."

Councilwoman Brown: "55%?"

Comm. Ockington: "For 15 years on the improvement. When, in 2001 Key Bank wanted the issue re-visited to make sure that the tax abatement would still be in place, at that time Council approved..."

Councilwoman Brown: "Well I'm going to go back into the back years where, again, I'm all for improvement, I've always been against tax abatement, and I voted against the original tax abatement, but we stuck with it. Thank you."

President Albier: "Any other Councilperson?"

Councilman Coyne: "Mr. Albier."

President Albier: "Mr. Coyne."

Councilman Coyne: "This is probably for Mr. Fisk. What do you think our net tax gain from employment, or do you have any idea what employment would be at this point?"

Clerk Fisk: "I haven't been approached on any employment figures, etc., and I don't have any figures."

Councilman Coyne: "Okay."

President Albier: "If all this was approved tonight, how much property is still left at Key Corp. for development?"

Mr. Neff: "What we're proposing this evening is four parcels; that still leaves a five-acre parcel, that's the large green parcel here, for future development. There's also an opportunity of Key Corp., plus there's the other tower that Key Corp. still hopes at some point to be able to build, if the economy can straighten itself out a little more. And in doing so, part of this parking comes into play there, and also the parking garage, as you recall, was originally designed for a few more decks on it. So there's still that potential for that development, and we hope to see that come to fruition in the near future. So there's still some other opportunities out there."

President Albier: "Okay, thank you. Does anyone else have anything they wish to..."

Councilman Coyne: "One more. Mr. Neff, perhaps you can answer this. What do you project is the additional, this is for our residents on Tiedeman primarily, the additional traffic numbers increasing on Tiedeman? 5%, 10%?"

Mr. Neff: "It's far less than that. What this is is, in the restaurant services, we are going to service the needs of the area, so we're not generating as much as we are pulling from traffic. I don't have exact figures on it, but we did offer that we could have the original traffic study that was done looked at and at least amend maybe in a letter form stating that what we'd expect, what kind of a change. As was previously mentioned, these uses are a little different than what was proposed a few years back, when there was more retail proposed. We look at an office complex which employs a number of people in Key Corp. and we look at the restaurant uses. Other than the lunch time commute, and we expect a lot of that to be a local commute, their hours of operation tend to differ. We have our peaks, and our restaurants tend to be in the early and late evenings when our offices are out. So actually they're a very complimentary use. So this traffic we see as less of an impact than previously proposed development, and we can provide some additional information to the Building Department for that."

Councilman Coyne: "I think that should be part of the deal, that you would provide more information on traffic increase."

Mr. Neff: "Sure, we'll do that."

Councilman Coyne: "The other thing is, does Key Corp. now stagger working hours to move the traffic more freely?"

Mr. Neff: "Jim."

From audience: "They do stagger a little bit."

Mr. Neff: "They do do some staggering in there, yes."

Councilman Coyne: "I had heard that, but I thought it was true."

Mr. Neff: "We also recognize that Tiedeman Road functions at a less than acceptable level."

Councilman Coyne: "Yes."

Mr. Neff: "Hopefully in the near future, I know the Mayor introduced that there's been some legislation, some things going on; hopefully that'll all have some change, because this is a very busy corridor."

Councilman Coyne: "It is. The busiest in Brooklyn."

Mr. Neff: "Right, right. And we're glad to be here, and I know Key Corp. is also. Thank you."

Councilman Coyne: "Thank you."

President Albier: "Mrs. Pucci."

Councilwoman Pucci: "I just had, it's not a question, but it's a comment. I wasn't on Council when the Community Reinvestment Area came up the first time; however, I do think it was a wise move for the city to make. And Key Corp. is now one of our largest sources of tax revenue. And I would just like to thank Key Corp. for their investment in our community. Thank you."

Mr. Neff: "Thank you."

Councilman J. Frey: "Mr. Albier."

President Albier: "Yes Mr. Frey."

Councilman J. Frey: "I second that comment, Kathy, because Key Corp. is very important to the City of Brooklyn. I think there's some 2300 people there, or so, and hopefully they'll put up their third building. But Key Corp. is very welcome, and that tax abatement was a good thing from the respect of securing a wonderful company to this city with great jobs."

Councilwoman Brown: "Mr. Albier, I have a correction."

President Albier: "Yes Mrs. Brown."

Councilwoman Brown: "That tax abatement was not made with Key Corp. The tax abatement was in conjunction with Society Bank. Key Corp. was never mentioned in that abatement. Please understand this. I have no objections to Key Corp. I have plenty of objections to Society Bank. Two days after the abatement was signed, Society Bank became Key Corp. So I love Key Corp., I did not like Society Bank. Thank you."

Councilman J. Frey: "You're welcome."

Councilwoman Pucci: "Do we have to do these separately?"

President Albier: "I'm going to do them separate. Okay, thank you Mr. Neff."

Mr. Neff: "Thank you very much."

Councilwoman Pucci: "Thank you."

President Albier: "I'm going to break this down into three different votes, unless my Law Director advises me differently. So the first one will be Similar Condition Use to construct a maximum of two restaurants. Do I have a motion?"

Councilwoman Pucci: "Move to approve."

Councilwoman Gallagher: "Second."

Councilman Coyne: "Second."

Clerk Fisk: "To confirm the Similar Conditional Use of two restaurants at the Key Corp. site, Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Tom Coyne."

"John Frey."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman Coyne: "Yea."

Councilman J. Frey: "Yea."

President Albier: "The next vote will be for one child day care center at the same location, Similar Condition Use to construct. Do I have a motion?"

Councilwoman Pucci: "Move to approve."

Councilman Coyne: "Second."

Councilwoman Gallagher: "Second."

Clerk Fisk: "To approve the child day care center Conditional Use, Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Tom Coyne."

"John Frey."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman Coyne: "Yea."

Councilman J. Frey: "Yea."

President Albier: "And the third vote will be for one additional commercial establishment to be constructed on outlots to be located at 4900-5000 Tiedeman Road, as part of Key Bank's long-term improvement plans. And I have a comment to make about that. I don't think we should vote that in until we know exactly what it is. But I don't know if any other Council has a comment to make about that."

Councilman Coyne: "I think that's a good, valid point."

Councilwoman Pucci: "Is there a plan right now for a specific establishment?"

Mr. Neff: "No there isn't. Our goal was hopefully to be able to have the ability to market it for that purpose. And again, whatever use goes in there will need to come in front of the Planning Commission. Again, without your vote and approval, it just ties our hands a little bit in marketing. But if that's so be, let's, you know, the two you gave us would be sufficient for this time, and then hopefully in the very near future we'll come with you with another one in hand and say okay, let's get this one done."

Councilwoman Pucci: "Well I think you can understand that we're a little leery of approving something that we don't know what it is. And..."

Mr. Neff: "You've got a great Planning Commission."

President Albier: "Mr. Shaper, do you wish to say something?"

Director Shaper: "Why don't we pull it off the agenda rather than just not take a vote on it. So we're not voting it down..."

Mr. Neff: "We will agree to that."

Councilwoman Pucci: "And I'm sure you understand that we're cooperative, so, you know, bring us a good commercial establishment and nobody's going to stand in your way."

Mr. Neff: "Very good, thank you very much. We appreciate your support."

President Albier: "Can I have a motion to pull that from the agenda."

Councilwoman Pucci: "So move."

Councilman Coyne: "Second."

Director Shaper: "Thank you."

Clerk Fisk: "To table the fourth parcel, Rich Albier."

Councilman Albier: "Yea."

"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Greg Frey, or excuse me, Tom Coyne."
"John Frey."

Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."

President Albier: "Thank you gentlemen."

Mr. Neff: "Thank you."

Councilwoman Pucci: "Thank you."

President Albier: "Next is a bid authorization. There were two bids received for 2005 street striping programs. The bids were opened on Friday, May 27th at noon. The first bidder is Custom Line Striping, and the amount they submitted was \$35,800. The other one was Traffic Tech, Inc. and the bid they presented was \$41,600. And the recommendation is from Chief Jack Murphy that we take Custom Line Striping, Inc. And Chief, at the Finance Committee, you weren't there, but we were questioning, is this company located at 5720 Memphis Avenue?"

Chief Murphy: "Yes."

President Albier: "Is that a new company?"

Chief Murphy: "No. It's a former Prime Time Striping, and that we have done business with them before."

President Albier: "Alright. So your recommendation is you'd like us to recommend Custom Line Striping."

Chief Murphy: "It's a \$1500 difference."

President Albier: "Okay. I need a motion to accept the bid from Custom Line Striping."

Councilman Coyne: "Question."

President Albier: "Mr. Coyne."

Councilman Coyne: "Chief, it was former Prime Time, same employees and everything?"

Chief Murphy: "Owner yes, I don't know about their employees."

Councilman Coyne: "Owner. Okay. Okay, we have used Prime Time before."

Chief Murphy: "Yes."

Councilman Coyne: "Thank you. That's all I had."

President Albier: "A motion?"

Councilwoman Pucci: "Move to accept the bid from Custom Line Striping for \$35,800."

Councilwoman Gallagher: "Second."

Councilwoman Brown: "Second."

Councilman Coyne: "Second."

Clerk Fisk: "To accept the bid on street striping, Rich Albier." Councilman Albier: "Yea."
"Kathy Pucci." Councilwoman Pucci: "Yea."
"Rita Brown." Councilwoman Brown: "Yea."

"Colleen Gallagher."
"Tom Coyne."
"John Frey."

Councilwoman Gallagher: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."

President Albier: "Next we have is a bid approval submitted by Mr. Kappler. It says, 'I am requesting authorization to enter into an agreement with Specialized Construction, Inc. for an overlay joint and cracksealing of various city streets. The amount of Specialized Construction's bid was \$110,486. I am also requesting authorization to enter into an agreement with Konstruction King, Inc. for repairs and constructions of various city streets. The amount of the Specialized Construction bid was \$182,372.50. The combined total amount of the 2005 street repairs will be \$292,818.50. Mr. Kappler, is there anything you wish to add to that?"

Director Kappler: "No there is not."

President Albier: "Okay, well any Councilmen care to comment?"

Councilman Coyne: "Comment."

President Albier: "Mr. Coyne."

Councilman Coyne: "As I and other Councilmembers have said numerous times before, waiting till July to start road repairs is not an efficient way to do business. Bids should be sent out in early spring so a large number of contractors will bid, and more competitive bids can be received. At this late date all the contractors that are good and have bid jobs are gone. And I have no complaint with what we're doing tonight because we desperately need it. I mean, I get comments weekly on when are they going to fix the streets. So at this point we got to do it. I would hope that in the future we're not starting construction problems, construction projects in July, and we could get the bids out early in the year. We have a five year program, we can review that this fall and see what we think we need for next year, and get a head start on this so we can get much more competitive bids and probably much better pricing. That's all I had."

President Albier: "Thank you Mr. Coyne. Anyone else?"

Councilwoman Pucci: "Mr. Albier."

President Albier: "Mrs. Pucci."

Councilwoman Pucci: "Just for the record, in the letter it says the amount of Specialized Construction is \$182,372.50 and it should read Konstruction King. So just when we're approving it let's keep that in mind."

President Albier: "Konstruction..."

Councilwoman Pucci: "We're going to do these separately."

President Albier: "Yes we are."

Councilwoman Pucci: "Okay, are you ready?"

President Albier: "Anyone else wish to comment? Okay, I'll take a motion on the first one, Specialized Construction."

Councilwoman Pucci: "Move to enter into an agreement with Specialized Construction for \$110,446."

Councilman Coyne: "Second."

Councilwoman Gallagher: "Second."

Clerk Fisk: "To authorize an agreement with Specialized Construction, Rich Albier."

Councilman Albier: "Yea."

"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Tom Coyne."
"John Frey."

Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."

President Albier: "The second one will be to enter into an agreement with Konstruction King, Inc. for \$182,372.50."

Councilwoman Pucci: "So move."

Councilman Coyne: "Second."

President Albier: "Second by Mr. Coyne."

Clerk Fisk: "To enter into an agreement with Konstruction King, Rich Albier."

"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Tom Coyne."
"John Frey."

Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."

President Albier: "The next one is from Chief Duchoslav. I am requesting authority to seek Request for Proposal (RFP) for the new 100' aerial platform ladder truck. Chief, would you want to comment on this?"

Chief Duchoslav: "There is an advertisement attached to this detailing information I would like to receive from different manufacturers. The six major manufacturers will receive this, and it will also be published as soon as possible to go out in the paper."

President Albier: "Thank you Chief."

Chief Duchoslav: "If anybody else wants to submit a proposal."

President Albier: "Thank you Chief. Any Councilperson wish to comment."

Councilwoman Pucci: "I just have a comment. Chief, if you could just compliment the ladder truck committee for all their hard work. I know they've put in a lot of time investigating what the best way for us to go would be, and we appreciate their efforts."

Chief Duchoslav: "Sure. Certainly, certainly. Lt. Krickler headed up that committee and he put an awful lot of his time and effort into that. And still is."

Councilwoman Pucci: "Thank you."

President Albier: "Mr. Coyne."

Councilman Coyne: "I'd also like to thank both you Chief and the committee. I know they put a heck of a lot of hours into this. And I think you've done an excellent job putting this proposal for the Request for RFP together, and I'm sure we'll get some excellent bids out of this."

President Albier: "I need a motion to request for bids."

Councilwoman Pucci: "Move to authorize to seek Request for Proposals for a new 100' aerial platform ladder truck."

Councilman Coyne: "Second."

Councilwoman Brown: "Second."

Clerk Fisk: "To authorize the city to seek bids via a Request for Proposal on a new ladder truck, Rich Balbier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Tom Coyne."

"John Frey."

Councilman Balbier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman Coyne: "Yea."

Councilman J. Frey: "Yea."

President Balbier: "Next we'll have the audience remarks pertaining to legislation on the agenda. Does anyone in the audience have any remark they'd care to make on the Resolutions and Ordinance we're about to discuss? There being no one coming forward, we'll move on. The first is **2005-7**, this would be the second reading, to Adopting the Tax Budget for fiscal year 2006."

Councilwoman Pucci: "Move to put on second reading."

Councilman Coyne: "Move to second reading."

Councilwoman Pucci: "Second."

Clerk Fisk: "Thank you. To place Resolution 2005-7 on second reading, Rich Balbier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Tom Coyne."

"John Frey."

Councilman Balbier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman Coyne: "Yea."

Councilman J. Frey: "Yea."

President Balbier: "The next piece of legislation is **RESOLUTION 2005-9**. Introduced by Mayor Patton. Urging the United States Base Closure and Realignment Commission to retain the 1,028 important federal defense jobs at the Defense Finance and Accounting Service in downtown Cleveland, and supporting and encouraging the Cleveland Defense Industry Alliance and their Greater Cleveland partnerships and their advocacy efforts to protect the region's economic vitality by appealing the recommendations of the United States Department of Defense to realign these jobs to other cities, and encouraging the retention, and further committing Council's support and assistance with this undertaking."

Councilwoman Pucci: "Introduced by all, suspend the rules."

Councilman Coyne: "Second."

Councilwoman Brown: "Second."

Councilman Coyne: "This has an employment in the Greater Cleveland area of 1200 people. And the loss of it would make a tremendous impact on the Cleveland area."

Clerk Fisk: "To suspend the rules on Resolution 2005-9, Rich Balbier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Tom Coyne."

"John Frey."

Councilman Balbier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman Coyne: "Yea."

Councilman J. Frey: "Yea."

Clerk Fisk: "To adopt, Rich Balbier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

Councilman Balbier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

"Tom Coyne."
"John Frey."

Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."

President Albier: "Next is **ORDINANCE 2005-26**. An Ordinance authorizing inter-fund transfers and advances during 2005. And I ask Mr. Fisk to comment on this."

Clerk Fisk: "We received the property tax funds that come into the General Fund that are for the Safety Forces Construction and Capital Improvement Fund. This transfer moves those monies that came into the General Fund to that fund, which is for the construction of the new fire station. Along with that were a transfer that's going from Capital Improvement to Biddulph Road improvements, \$91,290 to Biddulph east of Ridge Road; and \$5,000 to Biddulph between Ridge and Tiedeman. This \$91,290 transfer from the Capital Improvement Fund to Biddulph east of Ridge Road will retire the note for that section of Biddulph Road improvements."

President Albier: "Did your tape run out, do you have to do anything?"

Clerk Fisk: "No, it just switched over."

Councilwoman Pucci: "Introduced by all, suspend the rules."

Councilwoman Brown: "Second."

Councilman Coyne: "Second."

Clerk Fisk: "To suspend the rules on Ordinance 2005-26, Rich Albier."

"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Tom Coyne."
"John Frey."

Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."

Clerk Fisk: "To adopt, Rich Albier."

"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Tom Coyne."
"John Frey."

Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."

President Albier: "Next is **ORDINANCE 2005-27**. And I'm going to read this Ordinance in its entirety, because these are properties that have been giving the city some problems over the last year. Assessing unpaid costs of abating nuisance and hazardous violations of Section 521.14 of the Codified Ordinances of the City of Brooklyn, Ohio. Whereas, Section 521.14 of the Codified Ordinances of the City of Brooklyn, Ohio requires all property owners to maintain their lots and keep them free from any noxious weeds, common weeds and grass. Whereas, Section 521.14(a) outlines the procedures that the city must follow in the event that any property is not properly maintained. And whereas, the city has properly followed all procedures in Section 521.14 and has determined that certain property owners have failed to comply with Section 521.14(a). And whereas, the city has expended manpower and resources to bring certain properties into compliance and has followed all procedures to issue invoices to the various property owners for payment of the cost of such maintenance performed by the city, which invoices have remained unpaid. And whereas, Section 521.14(b) outlines the procedure the City shall follow with respect to recovery of the fees expended by the City. Now, therefore, be it ordained by the Council of the City of Brooklyn, Ohio, County of Cuyahoga of Ohio. Section 1. That for the purpose of recovering the costs and expenses incurred by the City in abating nuisances, by repairing exterior building violations on each parcel of land set forth hereunder, there is hereby levied and assessed upon the following described properties, situated in the City of Brooklyn, the following respective amounts. At 4357 Rockland Drive they owe the city a total of \$675.00; 9407 Biddulph Road, \$1,136.25; 4362 Tiedeman Road, \$75.00; 7511 Outlook Avenue, \$487.50; and 9308 Outlook Drive, \$75.00. Section 2. That this Ordinance is hereby declared to be an emergency measure dealing with the

daily operation of the city; and provided it receives the affirmative vote of two-thirds (2/3) of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from the earliest period allowed by law. And I've been informed that the city has tried for over a year to collect these amounts, and they haven't been paid, so now we're going to take legal action. I need a motion."

Councilwoman Pucci: "Introduced by all, suspend the rules."

Councilwoman Gallagher: "Second."

Clerk Fisk: "Mr. Albier, before we do that, can I make a comment?"

President Albier: "Mr. Fisk wishes to make a comment first."

Clerk Fisk: "I just wanted the public to know that last year there was \$6,991 of work done by the city on properties with high grass and property violations. So we often get the comment that the city doesn't do anything. In this particular instance we notified owners, they didn't take action. We did \$6,991 worth of work on those properties, we collected \$4,392.25 over the last nine months, and these remaining five properties are the only ones who have not paid for that work done."

President Albier: "Thank you Mr. Fisk. We'll now entertain a motion."

Councilman Coyne: "Mr. Albier, question."

President Albier: "Mr. Coyne."

Councilman Coyne: "And I guess this is to Tom. Since I've been called numerous times on this Biddulph property, would you let us know when this is finally done and sold and somebody's moving in? Because it's been a headache for years..."

Comm. Ockington: "9407 Biddulph?"

Councilman Coyne: "Correct."

Comm. Ockington: "The lender did buy it back at the Sheriff's sale last December. I believe that it may be sold now to a private party. And I will let you know."

Councilman Coyne: "Okay, hopefully somebody will be moving in."

Comm. Ockington: "Yes."

Councilman Coyne: "Thank you."

Councilwoman Pucci: "Introduced by all, suspend the rules."

Councilwoman Brown: "Second."

Clerk Fisk: "To suspend the rules on Ordinance 2005-27, Rich Albier."

"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Tom Coyne."
"John Frey."

Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."

Clerk Fisk: "To adopt, Rich Albier."
"Kathy Pucci."
"Rita Brown."

Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."

"Colleen Gallagher."
"Tom Coyne."
"John Frey."

Councilwoman Gallagher: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."

President Albier: "And the last Ordinance on tonight's agenda is **2005-28**. An Amended Annual Appropriations Ordinance. And Ordinance amending Ordinances 2005-12 and 2005-20, entitled An Ordinance to make appropriations for the current and other expenditures of the City of Brooklyn, State of Ohio for the period of January 1, 2005 to December 31, 2005."

Councilwoman Pucci: "Introduced by all, suspend the rules."

Councilwoman Brown: "Second."

Clerk Fisk: "To suspend the rules on Ordinance 2005-28, Rich Albier."

"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Tom Coyne."
"John Frey."

Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."

Clerk Fisk: "To adopt, Rick Albier."

"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Tom Coyne."
"John Frey."

Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."

President Albier: "Does any Councilmember have... Mrs. Brown."

Councilwoman Brown: "Yes, I request an executive session to discuss a possible lawsuit."

Councilwoman Pucci: "Well you didn't make a motion yet, but can I ask a question?"

President Albier: "Yes Mrs. Pucci."

Councilwoman Pucci: "Okay, I thought of two other quick things while I was sitting up here before we go into executive session. One, Mr. Shaper, any update or progress on the Groeger Trust with the senior van, that we made a request of them? Or is there anything to report?"

Director Shaper: "We've made a request and the request has been answered."

Councilwoman Pucci: "Okay, so is it something we were going to move forward on, or...?"

Director Shaper: "Do you want me to read the response?"

Councilwoman Pucci: "I just want to know if we'll be able to move forward so that we can free that money up for the animal shelter."

Director Shaper: "First of all, don't link those two things. In my opinion... I understand what you're saying..."

Councilwoman Pucci: "Okay."

Director Shaper: "That's two separate..."

Councilwoman Pucci: "Just, right, just to clarify that we would then be able to amend our appropriation so that we would have the funds available, or some funds available for the animal shelter."

Director Shaper: "Mrs. Pucci... May I approach? Here's the response, and I don't know if you want me to read it."

Councilwoman Pucci: "Okay. Well I just wanted to make sure we had the ball rolling."

Director Shaper: "The ball, yes, it is."

Councilwoman Pucci: "Okay, thank you. And I just have one quick question for Mr. Kappler. I was at the Rec Center today, and I noticed that they re-did the ice, and I saw, you know how in the center we have usually Brooklyn Rec Center and then the B? I noticed that it's, we don't have the Brooklyn Rec Center there anymore. I'm assuming that we're getting the stencils to reflect the new name change?"

Director Kappler: "That is correct."

Councilwoman Pucci: "Okay."

Director Kappler: "It'll be in next year's ice."

Councilwoman Pucci: "Okay, thank you."

President Albier: "Can we now have a motion to go into executive session for a lawsuit to be explained by Mr. Shaper? Does anyone second Mrs. Brown's motion?"

Councilwoman Pucci: "I'll second it."

Clerk Fisk: "To move into executive session to discuss a possible lawsuit, Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Tom Coyne."

"John Frey."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman Coyne: "Yea."

Councilman J. Frey: "No."

President Albier: "Do you want anyone else besides Mr. Shaper there Mrs. Brown?"

Councilwoman Brown: "I don't think so, I think just Mr. Shaper will do."

President Albier: "Okay, we're adjourned until we come back from executive session."

COUNCIL ADJOURNED TO AND THEN RECONVENED FROM EXECUTIVE SESSION

Councilwoman Gallagher: "Move to reconvene."

Councilwoman Pucci: "Second."

Clerk Fisk: "To reconvene from executive session, Rich Albier."

"Kathy Pucci."

"Rita Brown."

"Colleen Gallagher."

"Tom Coyne."

"John Frey."

Councilman Albier: "Yea."

Councilwoman Pucci: "Yea."

Councilwoman Brown: "Yea."

Councilwoman Gallagher: "Yea."

Councilman Coyne: "Yea."

Councilman J. Frey: "Yea."

Councilwoman Brown: "Mr. Albier, may I be recognized?"

President Albier: "Yes Mrs. Brown."

Councilwoman Brown: "In the workshop, can we have it next Monday?"

President Albier: "I have a Rec Board meeting at 6:30."

Councilwoman Pucci: "Want to make it after that?"

Councilman Coyne: "Do you want a meeting Monday night?"

Councilwoman Brown: "Yeah."

Councilwoman Pucci: "7?"

Councilwoman Gallagher: "7:15?"

President Albier: "Alright, next Monday night. Is that alright with everybody? No?"

Councilman Coyne: "I won't be here."

Councilwoman Pucci: "Well that's okay, it's just to discuss. We're just going to get information, unless you guys want to pick another night."

Councilman J. Frey: "What?"

Councilwoman Pucci: "But you'll still be gone for the wedding?"

Councilman Coyne: "I'll be gone for the wedding, yeah."

President Albier: "Mrs. Brown wants a meeting to discuss this nepotism, that she wants next Monday night."

Councilwoman Brown: "Legislation to..."

Councilman J. Frey: "I'm not interested in coming."

Councilman Coyne: "You can go ahead and have it, I mean, if that's the only day..."

President Albier: "Alright, we'll have it at..."

Councilman J. Frey: "But let me know when you're having it. I might not be interested in coming, but I might come."

President Albier: "Okay, we'll come at 7:00 next Monday."

Councilwoman Pucci: "Monday, okay."

Councilwoman Brown: "Okay."

Councilman Coyne: "Okay, I'll try and get an earlier flight and see if I can get back earlier."

President Albier: "Alright, but I have the Rec Board meeting at six."

Councilwoman Pucci: "That's okay, if there's no action, it's just a..."

Councilman Coyne: "Yeah, I understand that."

Councilwoman Pucci: "...work session."

President Albier: "Yes, we're just going to discuss this."

Councilwoman Brown: "A work shop."

Councilman Coyne: "I understand."

President Albier: "Okay, we'll have it at 7:00 next Monday."

Councilwoman Pucci: "In the Conference Room?"

President Albier: "That's fine."

Clerk Fisk: "Is this a Committee of the Whole?"

Councilwoman Pucci: "Yes."

President Albier: "Yes, a Committee of a Whole."

Councilwoman Gallagher: "And Rita, will you give us all a copy of the legislation?"

Councilwoman Brown: "Yes, I will."

Councilwoman Gallagher: "Okay."

Councilwoman Brown: "I'll give you whatever I have."

President Albier: "Okay. Is that it? Okay John, you're on. It's your motion."

Councilman J. Frey: "I move we adjourn."

Councilwoman Pucci: "Second."

Clerk Fisk: "To adjourn, Rich Albier."
"Kathy Pucci."
"Rita Brown."
"Colleen Gallagher."
"Tom Coyne."
"John Frey."

Councilman Albier: "Yea."
Councilwoman Pucci: "Yea."
Councilwoman Brown: "Yea."
Councilwoman Gallagher: "Yea."
Councilman Coyne: "Yea."
Councilman J. Frey: "Yea."

Meeting adjourned.

Clerk of Council

President of Council